

News from the FPPC



California Fair Political Practices Commission
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****Media Advisory****

Judge to Hear Argument in Case Related to Proposition 8

Today at 2:00 p.m., the Commission will present arguments defending provisions of the Political Reform Act before District Judge Morrison C. England, Jr., who will hear arguments on motions filed by the parties. Plaintiffs ProtectMarriage.com – Yes on 8, a Project of California Renewal and National Organization for Marriage, and Defendants, which include the Commission, Attorney General, Secretary of State and various district and city attorneys, filed Cross-Motions for Summary Judgment last month.

Plaintiffs challenge the Act's campaign disclosure requirements for contributions to ballot measure committees. The Complaint claims that plaintiffs, representing tens of thousands of individual donors that managed to raise over \$42 million in support of Proposition 8, which was on the November 2008 ballot, should be treated the same as members of the NAACP in the 1960's and be exempt from disclosure requirements. Otherwise, they claim, their ability to advance their political views on same-sex marriage will be stifled and vanish from the marketplace of ideas. They cite mostly anecdotal media reports of actions being taken against some persons who supported Proposition 8, such as the theft of lawn signs and confrontational email. They allege that some of these donors were identified through donor contribution information made public as required by the Act's campaign reporting and disclosure provisions. They seek to permanently enjoin the future disclosure of all of plaintiffs' contributors, expunge the records of all of plaintiffs' past contributors, and to invalidate as unconstitutional the Act's \$100 disclosure threshold for contributors to ballot measure committees, among other things. The Commission is vigorously defending all of the Act's challenged provisions.

The hearing will take place at the Sacramento Division of the United States District Court for the Eastern District of California.

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